

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Application of Orly Genger, as
to Remove Dalia Genger as Trustee of The
Orly Genger 1993 Trust Established on Dec. 13,
1993 by Arie Genger, grantor.

DOCKET NO. 19-cv-9319

Orly Genger, beneficiary of The Orly Genger 1993 Trust,

Petitioner,

N.Y. County Surrogate Court
Index No. 2008-0017

v.

Dalia Genger, as trustee of The Orly Genger 1993
Trust, and The Sagi Genger 1993 Trust,

Respondents.

**PETITIONER'S STATEMENT PURSUANT TO
FEDERAL RULE OF BANKRUPTCY PROCEDURE 9027(E)(3)**

1. Respondent The Sagi Genger 1993 Trust ("Sagi Trust"), by its counsel, in opposition to the Notice of Removal filed by the Bankruptcy Trustee for the bankruptcy estate of respondent Orly Genger, dated October 8, 2019, and pursuant to Federal Rule of Bankruptcy Procedure 9027(e)(3), hereby states that it does not consent to removal to this Court, and does not consent to the entry of final orders or judgment by this Court.

2. Further, the Sagi Trust does not consent to the proposed (also by the Bankruptcy Trustee) transfer of this case to the U.S. District Court for the Western District of Texas, nor to the entry of final orders or judgment by such court.

3. The Sagi Trust waives no rights by filing this Rule 9027(e)(3) statement, including but not limited to the right to seek abstention, remand, withdrawal of the reference, or any other claim, right, or action.

Dated: New City, New York
October 18, 2019

EMMET, MARVIN & MARTIN, LLP

/s/ John Dellaportas

John Dellaportas
Beth Khinchuk
120 Broadway
New York, New York 10271
(212) 238-3000
jdellaportas@emmetmarvin.com
bkhinchuck@emmetmarvin.com

*Attorneys for Respondent
The Sagi Genger 1993 Trust*